

Barrot slams changes made to passenger liability law

Justin Stares Brussels - Tuesday 4 December 2007

EUROPEAN Union transport commissioner Jacques Barrot has accused ministers of watering down a proposed law on passenger liability to the extent that it is now “an empty shell,” writes Justin Stares in Brussels.

Mr Barrot told transport ministers meeting in Brussels that the commission “profoundly disagreed” with the changes made to the draft regulation on liability of carriers of passengers by sea and inland waterways, which seeks to enforce the Athens convention and extend it to coastal trades and inland waterways.

The commissioner laid down his opposition to restricting the proposal to larger ‘class A’ ships on coastal trades and removing inland waterways from its scope.

“Why delay until tomorrow something you can do today?” he asked of the ministerial decision to put off creating a separate inland waterway scheme to another date.

There is also no justification for insisting ships in port should not be covered by the law, as ministers are insisting.

Passengers of the Herald of FreeEnterprise, a casualty that occurred in port, would not have been entitled to compensation under the new version of the law.

Likewise, passengers rescued from the cruiseship Explorer, which capsized in the Antarctic, would allegedly not receive compensation of the level stipulated by the Athens convention if ministers’ limited funding plans are now made law.

“The council has not maintained the ambition” of the commission’s proposal, the French commissioner said, adding that while the executive could not accept the changes it would not stand in the way of an agreement.

A diplomat present at the meeting defended ministers by pointing out that, while several of the commission’s ideas had been knocked back, the proposal still went further than the Athens convention itself.

Italy was in the end the only state to oppose the compromise set down by the Portuguese EU presidency. The Italian delegation wanted to prevent governments from offering passenger compensation levels above those stated in the Athens convention.

This amendment failed, to a large extent due to opposition by Britain.

The presidency then declared that an agreement had been reached under qualified majority voting rules.

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